

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IRON WORKERS' MID-AMERICA)	
PENSION PLAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 18 C 7021
)	
R & W CLARK CONSTRUCTION, INC.,)	JUDGE STEVEN C. SEEGER
an Illinois corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on February 27, 2019, request this Court enter judgment against Defendant, R & W CLARK CONSTRUCTION, INC., an Illinois corporation. In support of this Motion, Plaintiffs state:

1. On February 27, 2019, this Court entered default against Defendant and granted Plaintiffs' request for an order directing an audit of the Defendant's payroll books and records. The Court also entered an order that judgment would be entered after the completion of the audit.

2. On or about November 14, 2019, Plaintiffs' auditors completed the audit. The audit findings show that the Defendant was not delinquent in contributions to the Funds. (See Affidavit of Paul E. Flasch).

3. Plaintiffs' auditing firm of Legacy Professionals, LLP charged Plaintiffs \$2,386.54 to perform the audit examination and complete the report and the Funds are entitled to recover said fees under their Trust Agreements (Flasch Aff. Par. 5).

4. In addition, Plaintiffs' firm has expended \$602.00 for costs and \$3,696.00 for attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$6,684.54.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$6,684.54.

/s/ Patrick N. Ryan

Patrick N. Ryan
Attorney for the Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6278364
Telephone: (312) 216-2573
Facsimile: (312) 236-0241
E-Mail: pryan@baumsigman.com

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that he electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 13th day of January 2020:

Mr. Richard Clark, Registered Agent/President
R & W Clark Construction, Inc.
8158 W. Lincoln Highway
Frankfort, IL 60423-9411

Office of the Secretary of State
Department of Business Services
Annual Reports/Registered Agent Section
File No. 70018527
501 S. 2nd Street, Room 350
Springfield, IL 62756-1000

/s/ Patrick N. Ryan _____

Patrick N. Ryan
Attorney for the Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6278364
Telephone: (312) 216-2573
Facsimile: (312) 236-0241
E-Mail: pryan@baumsigman.com